



STATE OF NORTH CAROLINA
DEPARTMENT OF TRANSPORTATION

BEVERLY EAVES PERDUE
GOVERNOR

EUGENE A. CONTI, JR.
SECRETARY

May 21, 2012

U. S. Army Corps of Engineers
Regulatory Field Office
3331 Heritage Trade Drive Suite 105
Wake Forest, NC 27587

ATTN: Mr. Monte Matthews
NCDOT Coordinator

Dear Sir:

Subject: **Permit Modification for an Individual Section 404 Permit and Section 401 Water Quality Certification** for SR 1001 (Connelly Springs Road) from US 321A (Norwood Street) to SR 1712 (Starcross Road) in Caldwell County. Federal Aid Project No. MA-STP-7533(2), Division 11, WBS 34783.1.1, TIP No. U-2211B. Debit \$570 from WBS 34783.1.1.

Reference: Individual Section 404 Permit and Section 401 Water Quality Certification, dated January 24, 2012 and January 3, 2012, respectively

The North Carolina Department of Transportation (NCDOT) requests a permit modification to change the wetland mitigation compensation as proposed in the previous permit. The impact numbers have not changed since the Individual Permit (IP) was issued.

Summary of Jurisdictional Impacts:

This project will permanently impact 0.24 acre of wetlands, 1,610 linear feet of streams, and temporarily impact 0.01 acre (53 linear feet) of streams. This has not changed since the permit was issued for this project in January 2012.

Summary of Mitigation:

Previously, compensatory mitigation for the 0.24 acre of wetland impacts was going to be provided by debiting the Long Creek Mitigation Site in Mecklenburg County. However, it was recently discovered that the Long Creek site is not available for further debits of wetland impacts.

MAILING ADDRESS:
NC DEPARTMENT OF TRANSPORTATION
PROJECT DEVELOPMENT AND ENVIRONMENTAL ANALYSIS
1598 MAIL SERVICE CENTER
RALEIGH NC 27699-1598

TELEPHONE: 919-717-6100
FAX: 919-212-5785

WEBSITE: WWW.DOH.DOT.STATE.NC.US

LOCATION:
1020 BIRCH RIDGE DRIVE
RALEIGH NC, 27610-4328

Therefore, compensatory mitigation for the 0.24 acre of wetland impacts for this project will now be provided by the Ecosystem Enhancement Program (EEP). The EEP will still be providing all required compensatory stream mitigation required for this project as outlined in the IP. Please see the attached updated EEP acceptance letter dated May 1, 2012.

REGULATORY APPROVALS

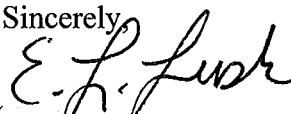
Section 404: Application is hereby made for a USACE Individual 404 Permit Modification as required for the above-described activities.

Section 401: We are hereby requesting a 401 Water Quality Certification Modification from the N. C. Division of Water Quality. In compliance with Section 143 215.3D(e) of the NCAC, we will provide \$570.00 to act as payment for processing the Section 401 permit modification previously noted in this application (see Subject line). We are providing five (5) copies of this application to the NCDWQ for their review and approval.

Thank you for your assistance with this project. If you have any questions or need additional information, please contact Erin Cheely at ekcheely@ncdot.gov or (919) 707-6108.

A copy of this permit modification request and its distribution list will be posted on the NCDOT website at <http://www.ncdot.org/doh/preconstruct/pe/neu/permit.html>

Sincerely,


for

Gregory J. Thorpe, Ph.D., Manager
Project Development and Environmental Analysis

cc:

NCDOT Permit Application Standard Distribution List.



May 1, 2012

Mr. Gregory J. Thorpe, Ph.D.
Manager, Project Development and Environmental Analysis Branch
North Carolina Department of Transportation
1548 Mail Service Center
Raleigh, North Carolina 27699-1548

Dear Dr. Thorpe:

Subject: EEP Mitigation Acceptance Letter:

U-2211B, SR 1001 (Hibriten Drive) from US 321A (Norwood Street) to SR 1712 (Oak Hill School Road), Caldwell County

The purpose of this letter is to notify you that the Ecosystem Enhancement Program (EEP) will provide the compensatory stream and riparian wetland mitigation for the subject project. Based on the information supplied by you on April 27, 2012, the impacts are located in CU 03050101 of the Catawba River Basin in the Northern Mountains (NM) Eco-Region, and are as follows:

Catawba 03050101 NM	Stream			Wetlands			Buffer (Sq. Ft.)	
	Cold	Cool	Warm	Riparian	Non-Riparian	Coastal Marsh	Zone 1	Zone 2
Impacts (feet/acres)	0	0	1,457	0.24	0	0	0	0

This mitigation acceptance letter replaces the mitigation acceptance letter issued on July 19, November 22 and December 20, 2011. EEP commits to implementing sufficient compensatory stream and riparian wetland mitigation credits to offset the impacts associated with this project as determined by the regulatory agencies in accordance with the N.C. Department of Environment and Natural Resources' Ecosystem Enhancement Program In-Lieu Fee Instrument dated July 28, 2010. If the above referenced impact amounts are revised, then this mitigation acceptance letter will no longer be valid and a new mitigation acceptance letter will be required from EEP.

If you have any questions or need additional information, please contact Ms. Beth Harmon at 919-715-1929.

Sincerely,

Michael Ellison
EEP Deputy Director

cc: Mr. Monte Matthews, USACE – Raleigh Regulatory Field Office
Mr. Brian Wrenn, Division of Water Quality, Wetlands/401 Unit
File: U-2211B Revised 3

Restoring... Enhancing... Protecting Our State

